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LETTER DATED 24 SEPTEMBER 1996 FROM THE PERMANENT REPRESENTATIVE OF RWANDA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to transmit herewith the text of two statements by the Government of Rwanda on the deteriorating situation in South Kivu, eastern Zaire:

(a) Statement by the Minister for Foreign Affairs and Cooperation of Rwanda concerning the current violence in South Kivu (annex I);

(b) Statement by the Minister for Foreign Affairs and Cooperation of Rwanda condemning and protesting against the firing on and shelling of Rwandan territory by the army of Zaire (annex II).

I would like to take this opportunity to deny in categorical terms Rwanda's involvement in the fighting and violence against the Banyamurenge Zairian citizens. The ongoing killing and persecution of the Banyamurenge population in Zaire must be seen in the context of the unfinished and unrepentant agenda of the genocidal army of the former Government of Rwanda and its leadership, which has been regrouping and training to destabilize Rwanda from its bases in Zaire.

It will be recalled that Zairians of all ethnic groups had lived in harmony in eastern Zaire before the arrival of the perpetrators of genocide in eastern Zaire.

Meanwhile and following the meeting held on 24 September 1996 between the Rwanda and Zaire authorities on the situation, the Zairian authorities have assured the Government of Rwanda that they will "stop bombing Rwanda".

Finally, I would like to request the circulation of the present letter and the two attached statements as a document of the Security Council.

(Signed) Gideon KAYINAMURA
Ambassador
Permanent Representative of Rwanda
to the United Nations

Annex I

[Original: French]

Statement issued on 17 September 1996 by the Minister for Foreign Affairs and Cooperation of Rwanda concerning the current violence in South Kivu

Since 9 September 1996, refugees have continued to pour into Rwandan territory from Uvira, Sange, Bwegera and Kiriba in the South Kivu region of Zaire. Among the refugees are Rwandans who had previously fled from Rwanda and, especially, Kinyarwanda-speaking Zairians known as Banyamurenge. Those arriving in Rwanda tell of scores of dead, killed by Rwandan former soldiers and militiamen and by Zairian army personnel.

The violence and acts of genocide now extend from North Kivu to South Kivu, a tragedy that has been repeatedly condemned by the Government of Rwanda since the first three months of this year. The most recent protest, a note verbale addressed to Zaire's Minister for Foreign Affairs, is dated 12 September 1996.

As will be recalled, organized massacres were carried out against members of other Zairian tribes in North Kivu by Rwandan former soldiers and militiamen, sometimes with the complicity, if not the assistance, of Zairian army personnel and the local civil authorities.

Nearly a month and a half ago, the Zairian Government Press Agency (AZAP) published a letter from the traditional chiefs of the Hunde, Nande, Havu and Nyanga tribes in North Kivu condemning the violence and plunder to which their peoples have been subjected.

In the letter, the traditional chiefs expressed both surprise and indignation at the absence of any protection whatsoever against the perpetrators of genocide in Rwanda, protection which they were entitled to expect from the Government of Zaire.

On 22 August 1996 the Prime Ministers of Zaire and Rwanda emphasized, in their joint communiqué issued at the conclusion of the visit to Rwanda of Zaire's Prime Minister Kengo wa Dondo, the necessity of disarming the armed former soldiers and militiamen of Rwanda's previous regime present in Zaire in order to ensure security in the subregion.

Now, however, the violence and massacres committed by the very same perpetrators of genocide in North Kivu are being repeated in South Kivu, and the Zairian authorities have failed to draw all the necessary conclusions from the events in Masisi, Rutshuru and Walikare.

Paradoxically, senior officials of the Government of Zaire, namely the Minister for Foreign Affairs and the Minister of Territorial Administration, Jean-Marie Kititwa Tumansi and Kamanda wa Kamanda, respectively, have recently gone so far as to claim that troops of the Rwandan Patriotic Army infiltrated the region in order to arm the Banyamurenge.

The Government of Rwanda is therefore disturbed that the Kinshasa authorities, who have more or less stood passively by while the situation in North Kivu has deteriorated, in spite of the killings and repeated ill-treatment of Zairian citizens at the hands of Rwandan former soldiers and militiamen, seem to be filled with excuses exonerating them of any responsibility for the tragedy in South Kivu.

For its part, Rwanda reaffirms its commitment to promote good-neighbourly relations with the countries of the subregion, including Zaire. It continues to maintain, however, that such relations require the existence of a favourable security climate.

Rwanda therefore urgently calls upon the Zairian authorities to recognize the seriousness of the uncontrolled circulation of arms in the refugee camps and in eastern Zaire generally, where former soldiers and militiamen of Rwanda's previous regime go about killing with impunity.

The Government of Rwanda insists that the Zairian authorities should proceed to disarm these elements and ensure that they are not in a position to do harm.

It emphasizes that any delay and excuses may lead to renewed genocide, which has been looming in eastern Zaire for some time now.

Lastly, the Government of Rwanda appeals to the international community to take seriously the risk of such a tragedy if the perpetrators of genocide continue with impunity to go about armed, exporting massacre and genocide, as is happening at the present time in eastern Zaire.

Annex II

[Original: French]

Statement issued on 23 September 1996 by the Minister for Foreign Affairs and Cooperation condemning and protesting against the firing on and shelling of Rwandan territory by the army of Zaire

During the night of 22 September 1996, between 6 p.m. and 11 p.m., the outskirts of Kamembe (Cyangugu prefecture), situated near the frontier with Zaire, were subjected to automatic weapons fire and artillery shelling. The shots and shells coming from Zairian military positions in the Bukavu region were clearly intended to hit the town of Kamembe, but they missed their target. There were no injuries or material damage.

This most recent act of aggression follows the attack in mid-September 1996 on the prison in the neighbouring commune of Gishoma, in which a group of infiltrators sought to free the prisoners. Soldiers of the Rwandan Patriotic Army (RPA) repulsed the attackers, who fled under cover of automatic weapons fire from the Panzi camp in Zairian territory.

The Government of Rwanda condemns this attack most vehemently and once again brings to the attention of the national and international community the repeated acts of aggression carried out from Zairian territory.

This act of aggression runs counter to the efforts undertaken by the Government of Rwanda, by the Heads of State of the countries of the subregion and by the international community to restore peace and security in the Great Lakes subregion.

The Government of Rwanda appeals to the Government of Zaire to respect its commitments with respect to the re-establishment of peace and security in the subregion.

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LETTER DATED 23 SEPTEMBER 1996 FROM THE PERMANENT REPRESENTATIVE OF THE LIBYAN ARAB JAMAHIRIYA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to transmit herewith the resolution adopted by the Council of the League of Arab States at its 106th session, held in Cairo on 17 September 1996, concerning the dispute between the Libyan Arab Jamahiriya and three Western countries and entitled "Coercive measures and threats by the United States of America, the United Kingdom of Great Britain and Northern Ireland and France against the Socialist People's Libyan Arab Jamahiriya".

I should be grateful if you would have this letter and its annex circulated as a document of the Security Council.

(Signed) Mohamed A. AZWAI
Permanent Representative

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Annex

Coercive measures and threats by the United States of America, the United Kingdom of Great Britain and Northern Ireland and France against the Socialist People's Libyan Arab Jamahiriya

The Council of the League,

Referring to the content of the Final Communiqué of the Arab Summit Conference held in Cairo from 21 to 23 July 1996,

Recalling its previous resolutions on this matter, the most recent of which was resolution 5552 of 12 March 1996,

Referring to the communiqué issued on 11 April 1996 by the joint meeting of the Arab Committee of Seven and the African Committee of Five established to deal with the matter,

Expressing its profound concern at the damage sustained in human and material terms by the Libyan people as a result of the coercive measures imposed on it under Security Council resolutions 748 (1992) and 883 (1993),

Regretting the failure of the three Western countries to respond to the efforts that have been made to find a settlement based on the principles of international law, in a context of mutual understanding and constructive dialogue,

Expressing its appreciation to regional organizations such as the Organization of African Unity, the Movement of Non-Aligned Countries and the Organization of the Islamic Conference for their solidarity with the Libyan Arab Jamahiriya in this crisis,

Reiterating paragraph 163 of the Final Document issued on 20 October 1995 by the Eleventh Conference of Heads of State and Government of Non-Aligned Countries held in Colombia, resolution 23 adopted by the Islamic Conference of Foreign Ministers (Session of Peace, Solidarity and Tolerance) held in Conakry from 9 to 12 December 1995 and the resolution adopted in this connection by the Council of Ministers of the Organization of African Unity, meeting at Yaoundé, Cameroon, from 1 to 5 July 1996,

DECIDES

1. To reiterate its previous resolutions on solidarity with the Socialist People's Libyan Arab Jamahiriya and to support that country's efforts to find a peaceful solution to the crisis;

2. To reiterate the practical suggestion made in resolution 5373, adopted by the Council of the League on 27 March 1994, namely, that the two suspects should be judged equitably and impartially by the Scottish judges in conformity with Scottish law, and that their trial should take place at the seat of the

International Court of Justice at The Hague, subject to the necessary guarantees;

3. To express its regret that sanctions continue to be imposed on the Libyan Arab Jamahiriya, despite the efforts and initiatives of various regional and international organizations aimed at finding a peaceful solution to the crisis, and to call for an end to the sanctions;

4. To support the right of the Libyan Arab Jamahiriya to seek adequate compensation for the losses and damage which it has sustained in material and human terms as a result of the application of Security Council resolutions 731 (1992), 748 (1992) and 883 (1993);

5. To express its appreciation for the efforts made by the Arab Committee of Seven and the African Committee of Five, in view of the success of their joint meeting, held on 11 April 1996 at the Secretariat of the League, in coordinating Arab and African efforts aimed at finding a just and peaceful solution to the crisis, and to ask the Arab Committee of Seven to pursue its efforts to that end;

6. To entrust the Secretary-General with responsibility for developing a practical approach to the identification of appropriate ways and means whereby the Libyan people may be spared further hardship;

7. To continue to include this matter as a permanent item on the Council's agenda until such time as a solution is found;

8. To assign to the Secretary-General responsibility for monitoring the implementation of this resolution.